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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RENATO CONSUEGRA-CLEMENTE,

Defendant.

Case No.: 2:20-cr-00018-JCM-EJY

**Government's Motion to Strike
Defendant's *Pro Se* Filing (ECF No. 32)**

15 On January 19, 2021, Defendant Renato Consuegra-Clemente filed a Motion Requesting
16 Pre-Trial Release (ECF No. 32). However, Consuegra-Clemente’s counsel of record is Paul
17 Riddle of the Federal Defender’s Office. ECF No. 20. Thus, Consuegra-Clemente’s filing was
18 filed in in violation of this Court’s precedent and local rules. *See United States v. Gallardo*, 915 F.
19 Supp. 216, 217-18 n.1 (D. Nev. 1995), *aff’d* 92 F.3d 1194 (9th Cir. 1996) (table) (holding that a
20 Defendant cannot file *pro se* documents when he is represented by counsel and has not
21 unequivocally invoked his constitutional right to self-representation); Local Rule IA 11-6(a)
22 (explaining that a represented party may not appear *pro se* and only an attorney of record is
23 recognized by the Court); Local Rule IA 11-6(b) (explaining that no attorney may withdraw
24 after appearing in a case except by leave of the court).

Neither has Consuegra-Clemente's demonstrated a "special need" for hybrid representation. *United States v. Olano*, 62 F.3d 1180, 1193 (9th Cir. 1995). Consuegra-Clemente has not offered any reason that consulting with his attorney is insufficient for his representation, and there is nothing in the record that suggests that Consuegra-Clemente's counsel is not properly consulting with him or not providing effective representation. Accordingly, the government respectfully requests that the Court strike Consuegra-Clemente's Motion Requesting Pre-Trial Release (ECF No. 32).¹

DATED: January 20, 2021

Respectfully submitted,

NICHOLAS A. TRUTANICH
United States Attorney

/s/ Allison Reese

ALLISON REESE
Assistant United States Attorney
Attorneys for Plaintiff
UNITED STATES OF AMERICA

¹ Should the Court deny this motion, the government respectfully requests that the Court reset the deadline for the government to respond to Consuegra-Clemente's Motion Requesting Pre-Trial Release (ECF No. 32) from the date of entry of the order.

CERTIFICATE OF SERVICE

I certify that I am an employee of the United States Attorney's Office. A copy of the foregoing **Government's Motion to Strike Defendant's *Pro Se* Filing** was served upon Defendant's counsel of record, via Electronic Case Filing (ECF), and via U.S. Mail to Defendant at:

Renato Consuegra-Clemente #56157-048
Nevada Southern Detention Center
2190 E. Mesquite Ave.
Pahrump, NV 89060

DATED January 20, 2021.

/s/ Allison Reese

ALLISON REESE
Assistant United States Attorney